

Common Carrier Bureau  
Network Service Division  
Office of the Chief

DOCKET FILE COPY ORIGINAL

CC DOCKET! 96-98

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

No. of Copies rec'd 2  
List ABCDE

## TABLE OF CONTENTS

INTRODUCTION AND SUMMARY .....	1
I. THE MPUC FAILS TO DEMONSTRATE WHY THE COMMISSION'S WELL-ESTABLISHED AUTHORITY OVER NUMBERING ADMINISTRATION SHOULD BE ALTERED .....	3
II. GRANTING THE MPUC'S SPECIFIC NUMBERING PROPOSALS WOULD HAVE FAR-REACHING AND NEGATIVE EFFECTS ON COMPETITION IN THE TELECOMMUNICATIONS INDUSTRY .....	6
A. State-by-State Implementation of Number Pooling and Other Conservation Measures Would Hinder Efforts to Achieve a Nationwide Solution .....	6
B. Establishing Fill Rates is a Complex Process that, if Undertaken at all, Should Be Reserved to the Commission .....	9
C. The Commission Is Considering Auditing Procedures and Should Not Permit The MPUC To Implement Its Own Processes .....	11
D. The Commission Should Reiterate the Limits Placed on State Authority To Order Code Reclamation .....	12
CONCLUSION .....	13

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Maine Public Utilities Commission's	)	NSD File No. L-99-27
Petition for Additional Authority to	)	
Implement Number Conservation Measures	)	

**COMMENTS OF AT&T CORP.  
ON PETITION FOR WAIVER**

Pursuant to Section 1.3 of the Commission's Rules, 47 C.F.R. § 1.3, AT&T Corp. ("AT&T") hereby submits its comments on the petition of the Maine Public Utilities Commission's ("MPUC") for additional authority to implement number conservation measures.<sup>1/</sup> The Commission has consistently refused to grant such authority to the states, thus ensuring the continued maintenance of consistent national numbering policies essential to the development of competition and the provision of the telecommunications services consumers demand. The MPUC provides no basis for reversal of this longstanding policy.

**INTRODUCTION AND SUMMARY**

When it comes to numbering matters, all parties to FCC and state commission proceedings have the same ultimate goal: the long-term availability of resources sufficient to meet consumer demand for competitive and innovative telecommunications services. The only difference of opinion arises in connection with how best to achieve this objective. AT&T agrees with the MPUC that prompt action on conservation and optimization is required to reduce the

---

<sup>1/</sup> Maine Public Utilities Commission Petition for Additional Delegated Authority to Implement Number Conservation Measures, NSD File No. L-99-27, filed March 17, 1999 ("MPUC Petition").

need for frequent and costly area code relief implementation. However, AT&T is very concerned about the potential impact of dozens of differing and inconsistent state plans on the viability of the North American Numbering Plan ("NANP"), carriers' ability to provide service to their current and prospective customers, and the development of national numbering standards.

The development of national standards for pooling is currently underway and the Commission fully comprehends the need to conclude the process expeditiously. Permitting state commissions to implement mandatory number pooling or other conservation methods such as unassigned number porting would fruitlessly divert much-needed resources away from the federal process. Similarly, the MPUC's request for authority to implement auditing procedures is premature given that these issues are currently under consideration at the Commission. Nor is there any basis to turn to the states for other number administration functions, such as the establishment of utilization rates or code reclamation. Congress placed this authority with the Commission precisely because the existence of more than fifty independent regimes for code administration would severely impede management of the nationwide numbering plan.

The MPUC's petition is substantively identical to those previously filed by the Massachusetts Department of Telecommunications and Energy ("MDTE") and the New York State Department of Public Service ("NYDPS"). The MPUC requests authority to implement the same types of number administration measures, and supports its request with reasoning substantially similar to that used by the MDTE and NYDPS. This succession of state commission petitions evinces an immediate need for the Commission to take two actions. First, the FCC should reiterate that an efficient nationwide numbering plan must be administered pursuant to national standards and policies. Second, the Commission must establish national

conservation standards as expeditiously as possible in order to provide the necessary relief to all states, carriers, and consumers.

**I. THE MPUC FAILS TO DEMONSTRATE WHY THE COMMISSION'S WELL-ESTABLISHED AUTHORITY OVER NUMBERING ADMINISTRATION SHOULD BE ALTERED**

Congress has granted the Commission sole jurisdiction to administer a uniform national numbering system.<sup>2/</sup> The Commission has consistently retained this plenary authority while making specific, limited delegations of authority to state commissions.<sup>3/</sup> By retaining federal authority over numbering administration, Congress has recognized that an efficient and effective nationwide numbering plan must be centrally administered pursuant to national standards. The Commission has repeatedly affirmed that a system comprised of varying state regimes for number administration would result in significant societal and economic costs.<sup>4/</sup> Moreover, the Commission has correctly found that permitting state commissions to proceed with certain numbering administration measures “on a piecemeal basis” could “jeopardiz[e]

---

<sup>2/</sup> 47 U.S.C. § 251(e)(1).

<sup>3/</sup> See, e.g., In the Matter of Petition for Declaratory Ruling and Request for Expedited Action on the July 15, 1997 Order of the Pennsylvania Public Utility Commission Regarding Area Codes 412, 610, 215, and 717, Memorandum Opinion and Order and Order on Reconsideration, 13 FCC Rcd 19009, 19025 ¶ 23 (1998) (“Pennsylvania Order”) (reiterating the Commission’s sole responsibility to implement national numbering policy while delegating limited authority for states to implement code rationing in certain circumstances); Implementation of the Local Competition Provisions in the Telecommunications Act of 1996, Second Report and Order and Memorandum Opinion and Order, 11 FCC Rcd 19392, 19512 ¶ 271 (1996) (“Second Report and Order”) (retaining the “authority to set policy with respect to all facets of numbering administration” while authorizing states to resolve matters involving implementation of new area codes). The Supreme Court has also recognized the FCC’s plenary authority over numbering administration. See AT&T Corp. v. Iowa Utilities Board, 119 S.Ct. 721, 729 (1999).

<sup>4/</sup> See, e.g., Second Report and Order at 19533 ¶ 320 (1996); Pennsylvania Order at 19022-24 ¶ 21.

telecommunications services throughout the country.”<sup>5/</sup> Indeed, numbering administration epitomizes the Supreme Court’s observation that “a federal program administered by 50 independent state agencies is surpassing strange.”<sup>6/</sup>

The Commission is currently reviewing the public comments on the North American Numbering Council’s Number Resource Optimization Report (“NANC NRO”), and has indicated that it plans to initiate a rulemaking on specific number optimization proposals shortly. Prompt commencement of this proceeding will significantly mitigate many of the petitioner’s concerns. AT&T urges the Commission to act as expeditiously as possible, and stands ready to continue to assist in developing national standards for number pooling and other conservation methods. In the meantime, nothing would be gained by granting states piecemeal authority over certain numbering administration issues. Patchwork state-mandated administration efforts would fruitlessly divert resources from developing and implementing national standards for efficient number administration, and would thereby ultimately hinder, rather than promote, efforts to address telecommunication users’ numbering needs. More immediately, state-specific numbering administration may directly impede the ability of service providers to obtain the numbers necessary to provide service.<sup>7/</sup>

---

<sup>5/</sup> Pennsylvania Order at 19022 ¶ 21; 19028 ¶ 28.

<sup>6/</sup> AT&T v. Iowa Utilities Board, 119 S.Ct. at 730, n.6.

<sup>7/</sup> This is precisely the situation that led to the Pennsylvania Order. There, the Pennsylvania Public Utilities Commission (“PaPUC”) implemented conservation measures in lieu of area code relief until the advent of number exhaust compelled the PaPUC to reconsider and initiate conventional relief for area codes 717 and 215/610. See Pennsylvania Order at 19017-20 ¶¶ 12-17. However, because of the PaPUC’s delay in establishing an area code relief plan, several area codes completely exhausted well before relief could be implemented. As a result, some carriers have fully depleted their inventories and cannot serve new customers, or have had to resort to extraordinary means to provide such service.

The MPUC's instant petition requests relief that is substantively identical to that previously sought by the MDTE and NYDPS.<sup>8/</sup> Moreover, the MPUC relies on many of the same arguments invoked by those petitioners. AT&T urges the Commission to act promptly to deny the requests from the MDTE, NYDPS, and MPUC. In the meantime, the Commission should suspend consideration of similar, subsequently-filed petitions.<sup>9/</sup> Soliciting public comment on "me-too" petitions filed by individual states requires the Commission, the states, and commenting parties to expend valuable resources addressing nearly identical arguments – arguments that were definitively resolved mere months ago in the Pennsylvania Order. Having confirmed that the issue of authority over numbering administration has been put to rest, the Commission, the states, and the industry can redirect their resources to rapidly developing the national standards necessary to optimize the nation's numbering resources.<sup>10/</sup>

---

<sup>8/</sup> Massachusetts Department of Telecommunications and Energy's Petition for Waiver of Section 52.19 to Implement Various Area Code Conservation Methods in the 508, 617, 781 and 978 Area Codes, filed February 17, 1999 ("MDTE Petition"); New York State Department of Public Service Petition for Additional Delegated Authority to Implement Number Conservation Measures, filed February 19, 1999 ("NYDPS Petition"). AT&T hereby incorporates into this pleading by reference its comments and reply comments on the Massachusetts and New York Petitions.

<sup>9/</sup> Florida and California are the latest states to file petitions for additional authority to implement number conservation measures. Florida Public Service Commission Petition for Expedited Decision for Grant of Authority to Implement Number Conservation Measures, filed April 2, 1999; Petition of the California Public Utilities Commission and of the People of the State of California for Delegation of Authority, NSD File No. L-97-42, filed April 23, 1999.

<sup>10/</sup> In doing so, the Commission can be sure that the Massachusetts and New York proceedings have afforded all interested parties an opportunity to be heard, and have provided the FCC with a substantial record on which to base its decision.

## **II. GRANTING THE MPUC'S SPECIFIC NUMBERING PROPOSALS WOULD HAVE FAR-REACHING AND NEGATIVE EFFECTS ON COMPETITION IN THE TELECOMMUNICATIONS INDUSTRY**

A petitioner seeking waiver of the Commission's rules must show "good cause" as to why the rule should be suspended, amended, or revoked.<sup>11/</sup> This standard poses a "high hurdle" because it requires a petitioner to "plead with particularity the facts and circumstances which warrant [the waiver]."<sup>12/</sup> Although the MPUC offers arguments that highlight the inefficiencies of the current numbering administration system, it has not demonstrated that circumstances in its state merit a waiver from the conclusions reached in the Pennsylvania Order. To the contrary, the MPUC's petition underscores the danger inherent in short-circuiting the FCC's on-going efforts at the national level by approving numerous inconsistent state regimes.<sup>13/</sup>

### **A. State-by-State Implementation of Number Pooling and Other Conservation Measures Would Hinder Efforts to Achieve a Nationwide Solution**

The MPUC concedes that national pooling protocols would be optimal, but nonetheless requests authority to implement thousands block pooling before national standards are in place.<sup>14/</sup> The MPUC argues that a pooling trial in Maine would yield valuable information on the viability of pooling in states that, unlike New York and Illinois, do not have major urban centers.<sup>15/</sup>

---

<sup>11/</sup> 47 C.F.R. § 1.3.

<sup>12/</sup> Rio Grande Family Radio Fellowship, Inc. v. FCC, 406 F.2d 664, 666 (D.C. Cir. 1968). See also Northeast Cellular Telephone Co. v. FCC, 897 F.2d 1164, 1166 (D.C. Cir. 1990); WAIT Radio v. FCC, 418 F.2d 1153, 1157 (D.C. Cir. 1969), cert denied, 409 U.S. 1027 (1972).

<sup>13/</sup> The MPUC argues that it could avoid implementing new area codes if it had the authority to impose a combination of number conservation measures. MPUC Petition at 2-3. This is precisely the authority that the FCC recently refused to delegate to Pennsylvania. Pennsylvania Order at 19024-25 ¶ 22.

<sup>14/</sup> MPUC Petition at 8.

<sup>15/</sup> MPUC at Petition at 8.

Like the MPUC, AT&T strongly supports thousands block pooling for technically capable carriers.<sup>16/</sup> AT&T does not believe, however, that a pooling trial in Maine is warranted. From a technical standpoint, pooling will work no differently in Maine than in states with urban centers – and the MPUC provides no evidence or argument to the contrary. Thus, a pooling trial in Maine would not likely add value to existing numbering trials.<sup>17/</sup> Moreover, the MPUC leaves its pooling proposal largely undefined making it impossible for the FCC to determine if the plan would be implemented in a competitively neutral manner or would otherwise comply with Commission policies.

To achieve optimum benefits, thousands block pooling must be implemented according to a uniform national set of requirements.<sup>18/</sup> Because thousands block number pooling substantially alters number resource administration and significantly affects carrier networks, systems, and operations, implementing it on a state-by-state basis could place an intolerable strain on carriers' administrative resources. Carriers could be forced to create different systems in each state in which they do business – and then could be required to revise those systems yet

---

<sup>16/</sup> The Commission has correctly recognized that thousands block pooling requires the use of LNP, and only LNP-capable providers can participate. See Pennsylvania Order at 19028-29 ¶ 29. To maintain its principle of technological neutrality, the Commission should continue to ensure that non-LNP capable providers remain exempt from pooling requirements, while ensuring that such carriers have adequate access to numbering resources. See Second Report and Order at 19587 ¶ 283.

<sup>17/</sup> See Pennsylvania Order at 19027 ¶ 27 (encouraging states to experiment with pooling and other conservation methods so that – through their efforts – the FCC, the states, and the industry would obtain useful information to aid in the development of uniform standards for effective conservation measures).

<sup>18/</sup> North American Numbering Council, Number Resource Optimization Working Group Modified Report to the North American Numbering Council on Number Optimization Methods, at §§ 6.2.8, 8.21.3, 11.2.5 (“NANC NRO”) (recognizing the need for a uniform national architecture for individual telephone number pooling, thousands block number pooling, and unassigned number porting).

again once national standards are issued. The Commission recently refused to grant states authority to implement number pooling “in view of the activity occurring at the federal level to develop such national standards.”<sup>19/</sup> The arguments presented by the MPUC do not warrant a reversal of this decision.

AT&T also supports further exploration of unassigned number porting (“UNP”). At this point, however, UNP remains undeveloped and not yet ready to be implemented in any meaningful way.<sup>20/</sup> Moreover, once UNP is finally developed, it may not prove to be as cost-effective as thousands block number pooling. AT&T therefore urges the Commission to proceed forthwith with the creation of nationwide standards for thousands block pooling, and to ensure that those standards can be implemented before authorizing experiments with other less developed number conservation methods. Once thousands block pooling is firmly established, it may be appropriate to revisit whether a state trial of UNP is warranted.<sup>21/</sup>

The MPUC could manage its numbering resources more efficiently, and alleviate some of the efficiency concerns that prompt its petition, through rate center consolidation (“RCC”). RCC can extend the life of an existing area code, provided that a shortage situation has not already been reached, by reducing the demand for new numbers.<sup>22/</sup> With its large number of rate centers

---

<sup>19/</sup> Pennsylvania Order at 19027 ¶ 27.

<sup>20/</sup> NANC NRO at § 11.1.1 (stating that the NANC was only able to examine the use of UNP in jeopardy situations and that no qualitative or quantitative analysis of the costs or benefits of UNP was performed).

<sup>21/</sup> The MPUC’s petition appears to suggest that its UNP program would apply only to CLECs. Imposing the administrative costs and other burdens of UNP exclusively on CLECs plainly would not be competitively neutral.

<sup>22/</sup> NANC NRO at § 1.5.1.

and low population density, Maine is particularly well-suited to RCC.<sup>23/</sup> Significantly, implementation of RCC is well within the MPUC's jurisdiction. In fact, the MPUC has stated its intent to open an inquiry into RCC.<sup>24/</sup> Given the potential benefits of RCC, it would be counterproductive for the MPUC to expend valuable resources experimenting with UNP or developing a number pooling system prior to the implementation of national standards. AT&T cautions, however, that RCC should be implemented in a manner that minimizes negative effects on markets where competition is emerging.<sup>25/</sup>

**B. Establishing Fill Rates is a Complex Process that, if Undertaken at all, Should Be Reserved to the Commission**

The MPUC seeks authority to establish fill rate requirements and needs-based criteria for the acquisition of codes.<sup>26/</sup> In support of this request, the MPUC argues that the current allocation Guidelines are problematic and promote the inefficient use of numbering resources.<sup>27/</sup> The MPUC does not provide a description of the programs it proposes to adopt, however, making it impossible for the Commission to evaluate whether delegation of the requested authority would actually promote number optimization. In light of this lack of detailed showing and because of the serious threat to carrier and consumer interests posed by a poorly implemented fill rate regime, AT&T urges the Commission to deny this request.

---

<sup>23/</sup> Maine has over 220 rate centers. MPUC Petition at 6 n.5.

<sup>24/</sup> Id.

<sup>25/</sup> By enlarging local calling areas, RCC may increase the size of the non-competitive local market at the expense of the more competitive intraLATA toll market. NANC NRO at § 1.7.2.3. RCC may also negatively affect some customers by shifting toll call boundaries and changing the balance of traffic between local and toll calls. Id. at § 1.7.2.1. Further, RCC may complicate the routing of emergency calls. Id. at § 1.9.1.

<sup>26/</sup> MPUC Petition at 5.

<sup>27/</sup> MPUC Petition at 3-4.

As AT&T explained in its comments in the NYDPS and MDTE proceedings,<sup>28/</sup> establishing fill rates or utilization threshold requirements is a complex exercise that could both impede number conservation efforts and interfere with a carrier's ability to meet customers' demands for new services. Such requirements are problematic because utilization thresholds bear little relationship to the date at which a carrier should reasonably be expected to need additional numbers.<sup>29/</sup> For these and other reasons, the Industry Numbering Committee ("INC") has considered and rejected fill rates in favor of a "months to exhaust" forecasting mechanism.<sup>30/</sup> The industry has recognized that forecasting better reflects a carrier's need for numbers because it is based on projected demand, which in turn is based on factors such as historical activation rates, seasonal fluctuations, planned promotions, and introductions of new rate plans. Moreover, the current INC guidelines place limits on the number of growth codes a carrier can request.<sup>31/</sup>

If state commissions want to improve the existing forecasting and reporting mechanisms or propose additional code administration guidelines, they have ample opportunity to do so in

---

<sup>28/</sup> Comments of AT&T Corp., NSD File No. L-99-19, L-99-21 at 13.

<sup>29/</sup> A carrier may meet a utilization threshold before it has a legitimate need for additional codes or may need additional codes to meet demand before it reaches the utilization threshold.

<sup>30/</sup> Illinois, to the best of AT&T's knowledge, the only state to adopt a utilization threshold, recognized the inherent limitation associated with such a plan and created an exception process based on forecasted demand. See Citizen Utility Board, Petition to Implement a Form of Number Conservation known as Number Pooling within the 312, 773, 847, 630, and 708 Area Codes; Illinois Bell Telephone Company, Petition for Approval of an NPA Relief Plan for the 847 NPA, Nos. 97-0192, 97-0211, Order of the Illinois Commerce Commission, at 26 (rel. May 6, 1998).

<sup>31/</sup> In non-jeopardy situations, each code holder must certify that existing codes will exhaust within twelve months and must retain documentation of the numbers currently in its inventory, its growth history for the preceding six months, and projected demand for the next twelve months. See INC Central Office Code (NXX) Assignment Guidelines, 95-0407-008, at § 4.2.1 (Reissued January 1999) ("CO Assignment Guidelines").

various industry fora, through the NANC, or through the Commission's rulemaking process.<sup>32/</sup>

The advantage of such industry fora is that these bodies are well equipped to ensure that all relevant economic and technical concerns are considered as guidelines are developed and revised. Moreover, the INC meetings are open to all participants, including representatives of state commissions, and the INC undertakes its work under the direction of the NANC, which includes state representation. In addition, the Commission will soon commence a rulemaking proceeding regarding new administration and reporting procedures that presumably will address the petitioner's concerns regarding number resource optimization. State commissions interested in these issues will have the opportunity to provide comments in that proceeding.

**C. The Commission Is Considering Auditing Procedures and Should Not Permit The MPUC To Implement Its Own Processes**

In order to oversee the acquisition and utilization of numbering resources, the MPUC requests authority to require carriers to submit utilization reports and authority to audit those submissions.<sup>33/</sup> Because the petitioner should not be permitted to implement fill rate requirements, granting the MPUC authority to require number utilization reports from carriers would be superfluous.<sup>34/</sup> Furthermore, as AT&T argued in the MDTE and NYDPS proceedings,<sup>35/</sup> the FCC has already requested and received extensive public comment on

---

<sup>32/</sup> For example, the INC finalized agreement on April 26, 1999 to require the months-to-exhaust worksheet be provided with all growth code requests. Guidelines are being modified to reflect this requirement.

<sup>33/</sup> MPUC Petition at 4-5.

<sup>34/</sup> MPUC Petition at 5.

<sup>35/</sup> Comments of AT&T Corp., NSD File No. L-99-19, L-99-21 at 13.

auditing processes, including which entity – the states, the Commission, or the NANPA – should enforce compliance with data submissions.<sup>36/</sup>

The MPUC presents no reason to circumvent this rulemaking process by prematurely granting state commissions authority over auditing procedures. Full consideration of the rulemaking record already assembled is essential because onerous requirements could potentially burden the industry without resulting in more or better information for use in number resource management. The MPUC filed comments with the Commission on the NANC NRO Report.<sup>37/</sup> Moreover, the MPUC has long been active, through NARUC, in the NANC. The MPUC has valuable expertise, and should continue to fully participate in the ongoing rulemaking process; however, the petition provides no basis to circumvent that process via the requested waiver.

**D. The Commission Should Reiterate the Limits Placed on State Authority To Order Code Reclamation**

The MPUC seeks authority to order carriers to return numbers in a variety of circumstances.<sup>38/</sup> These circumstances range from reclaiming codes obtained in violation of state law to reclaiming codes which have not been put into service within the “time provided by the Guidelines and other protocols or policies established by the MPUC.”<sup>39/</sup> By failing to elaborate on these “other protocols or policies,” the MPUC does not provide the FCC with enough substance to evaluate its proposals. Moreover, the Commission has never delegated code

---

<sup>36/</sup> Public Notice, Common Carrier Bureau Seeks Comment on North American Numbering Council Report Concerning Telephone Number Pooling and Other Optimization Measures, NSD File No. L-98-134, at 1 (rel. Nov. 6, 1998).

<sup>37/</sup> Comments of the Maine Public Utilities Commission, NSD File No. L-98-134, dated Dec. 16, 1998.

<sup>38/</sup> MPUC Petition at 5.

<sup>39/</sup> MPUC Petition at 5.

reclamation authority to state commissions and, in the Pennsylvania Order, it reaffirmed that the states do not have authority to reclaim codes.<sup>40/</sup> Although the MPUC cites instances in which unauthorized resellers have obtained codes, it has already coordinated efforts with the NANPA to resolve this problem, and accordingly provides no basis for the Commission to conclude that existing number administration arrangements are ineffective at correcting such abuses.<sup>41/</sup> Finally, as the Pennsylvania Order made clear, grant of the petitioner's requests to take back thousands blocks before other carriers can use them (through thousands block pooling) would be unnecessary.<sup>42/</sup> As part of its consideration of national standards for pooling, or once such standards are in place, the Commission may wish to revisit the issue of number reclamation.

### CONCLUSION

For the foregoing reasons the Commission should reject the MPUC's requests. The Commission has repeatedly made clear that national standards should govern number administration, and the arguments advanced by the MPUC do not demonstrate that its circumstances merit a waiver, or that the Commission should revisit these well-settled principles. State commissions have a vital role to play in the development of national policies to govern number administration and carriers' use of numbers. As the Commission recently stated:

The Commission, the state commissions, and the industry should work together to bring about as quickly as possible national methods to conserve and promote efficient use of numbers that do not undermine that uniform system of numbering. Such attempts, however, cannot be made on a piecemeal basis without jeopardizing telecommunications services throughout the country.<sup>43/</sup>

---

<sup>40/</sup> Pennsylvania Order at 19025-26 ¶ 24 (limiting state authority to reclaim codes in the context of pooling trials).

<sup>41/</sup> MPUC Petition at 4 n.3.

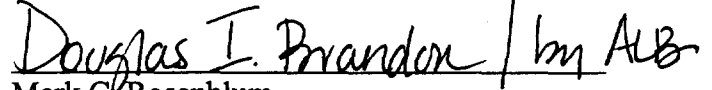
<sup>42/</sup> Pennsylvania Order at 19025-26 ¶ 24 (stating that because states lack the authority to implement mandatory pooling, they do not need the authority to order the return of codes).

<sup>43/</sup> Pennsylvania Order at 19023-24 ¶ 21 (emphasis added).

AT&T urges the Commission to establish national conservation standards as expeditiously as possible in order to provide necessary relief to all states, carriers, and consumers on an equitable basis.

Respectfully submitted,

AT&T CORP.

 / Im ALB

Mark C. Rosenblum

Roy E. Hoffinger

James H. Bolin, Jr.

295 North Maple Avenue, Room 3247H3

Basking Ridge, NJ 07920

(908) 221-4617

Douglas I. Brandon

Vice President - External Affairs

1150 Connecticut Avenue, N.W., Suite 400

Washington, D.C. 20036

(202) 223-9222

May 3, 1999

DCDOCS: 148693.2 (36qd02!.doc)

### **CERTIFICATE OF SERVICE**

I, Teresa S. Kadlub, hereby certify that on this 3rd day of May, 1999, I caused copies of the foregoing "Comments of AT&T Corp. on Petition for Waiver" to be sent to the following by hand delivery\* or by first class mail:

Jerry Vaughan\*  
Deputy Bureau Chief  
Wireless Telecommunications Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Room 3-C207  
Washington, D.C. 20554

John Cimko\*  
Chief  
Policy Division  
Wireless Telecommunications Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., 3-C124  
Washington, D.C. 20554

David Furth\*  
Chief  
Commercial Wireless Division  
Wireless Telecommunications Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Room 4-B522  
Washington, D.C. 20554

Yog Varma\*  
Deputy Chief  
Common Carrier Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., 5<sup>th</sup> Floor  
Washington, D.C. 20554

Nancy Boocker\*  
Deputy Chief  
Policy Division  
Wireless Telecommunications Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Room 3-C133  
Washington, D.C. 20554

Jeanine Poltronieri\*  
Wireless Telecommunications Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Room 3-C207  
Washington, D.C. 20554

Patrick Forster\*  
Network Services Division  
Common Carrier Bureau  
445 12<sup>th</sup> Street, S.W., 6<sup>th</sup> Floor  
Washington, D.C. 20554

Gayle Radley Teicher\*  
Network Services Division  
Common Carrier Bureau  
445 12<sup>th</sup> Street, S.W., 6<sup>th</sup> Floor  
Washington, D.C. 20554

Charlene Lagerwerff\*  
Chief Engineer  
Wireless Telecommunications Bureau  
445 12<sup>th</sup> Street, S.W., 4-A124  
Washington, D.C. 20554

Janice Jamison\*  
Legal Advisor  
Commercial Wireless Division  
Wireless Telecommunications Bureau  
445 12<sup>th</sup> Street, S.W., Room 5-A133  
Washington, D.C. 20554

David Pine\*  
Wireless Telecommunications Bureau  
445 12<sup>th</sup> Street, S.W., Room 3-C207  
Washington, D.C. 20554

Josh Roland\*  
Legal Advisor  
Wireless Telecommunications Bureau  
445 12<sup>th</sup> Street, S.W., Room 3-C207  
Washington, D.C. 20554

Dan Connors\*  
Legal Advisor  
Office of Commissioner Susan P. Ness  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Room 8-B115  
Washington, D.C. 20554

Peter Tenhula\*  
Legal Advisor  
Office of Commissioner Michael Powell  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Room 8-A204  
Washington, D.C. 20554

Thomas Power\*  
Legal Advisor  
Office of Commissioner William E. Kennard  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Room 8-B201  
Washington, D.C. 20554

Kevin Martin\*  
Legal Advisor  
Office of Commissioner Harold Furchgott-Roth  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Room 8-A302  
Washington, D.C. 20554

Lawrence Strickling\*  
Common Carrier Bureau  
445 12<sup>th</sup> Street, S.W., 5<sup>th</sup> Floor  
Washington, D.C. 20554

Ari Fitzgerald\*  
Legal Advisor  
Office of Commissioner William E. Kennard  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Room 8-B201  
Washington, D.C. 20554

Karen Gulick\*  
Legal Advisor  
Office of Commissioner Gloria Tristani  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Room 8-C302  
Washington, D.C. 20554

Paul Misener\*  
Legal Advisor  
Office of Commissioner Harold Furchgott-Roth  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Room 8-A302  
Washington, D.C. 20554

Linda Kinney\*  
Legal Advisor  
Office of Commissioner Susan P. Ness  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Room 8-B115  
Washington, D.C. 20554

Kyle Dixon\*  
Legal Advisor  
Office of Commissioner Michael Powell  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Room 8-A204  
Washington, D.C. 20554

Paul Gallant\*  
Legal Advisor  
Office of Commissioner Gloria Tristani  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Room 8-C302  
Washington, D.C. 20554

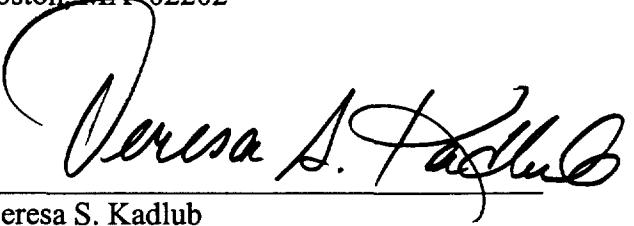
Lawrence G. Malone  
General Counsel  
Public Service Commission  
of the State of New York  
Three Empire State Plaza  
Albany, New York 12223-1350

ITS\*  
1231 20<sup>th</sup> Street, N.W.  
Washington, D.C. 20036

Jeannie Grimes\*  
Network Services Division  
Common Carrier Bureau  
Federal Communications Bureau  
445 12<sup>th</sup> Street, S.W., 6<sup>th</sup> Floor  
Washington, D.C. 20554

Al McCloud\*  
Network Services Division  
Common Carrier Bureau  
445 12<sup>th</sup> Street, S.W., 6<sup>th</sup> Floor  
Washington, D.C. 20554

Karlen J. Reed  
Department of Telecommunications & Energy  
100 Cambridge street, 12<sup>th</sup> Floor  
Boston, MA 02202



Teresa S. Kadlub